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Docket No.: 24221-88

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As the below named inventors, we hereby declare that:

This declaration is of the following type:

- ☒ Original
- ☐ Design
- ☐ Supplemental
- ☐ National stage of PCT
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part

Our residence, post office address, and citizenship are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

Apparatus and Method for Extracting a Sample from A Strip of Material

the specification of which is attached hereto, unless the following box is checked:

☒ was filed on **August 31, 2001**, as **U.S. Application No. 09/944,725**.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. § 1.98.

We hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No. 60/229,485 filed August 31, 2000

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

NONE

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Steven M. Auvil, Reg. No. 40,492
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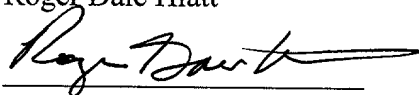
At telephone number : (216) 363-4453

Address all correspondence to Customer Number 21130.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Roger Dale Hiatt

Inventor's signature :



Date :

12/20/01

Residence/Post
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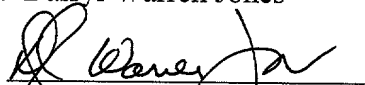
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Full name of second inventor: Darryl Warren Jones

Inventor's signature :



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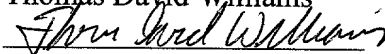
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Full name of third inventor: Thomas David Williams

Inventor's signature :



Date :

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Roger Dale Hiatt

TITLE : APPARATUS AND METHOD FOR EXTRACTING A
SAMPLE FROM A STRIP OF MATERIAL

SERIAL NO. : 09/944,725

FILING DATE : August 31, 2001

CONFIRMATION NO. : 1704

ATTORNEY DOCKET NO. : 24221-88PCT (OLD)
24221-88-2 (NEW)

Commissioner for Patents
Washington, DC 20231

REQUEST TO CHANGE ATTORNEY DOCKET NUMBER

Dear Sir:

Applicant's attorney has changed its Attorney Docket Number from 24221-88PCT (old) to 24221-88-2 (new). Applicant's attorney requests that the Office file reflects this change and that all future communications relating to this file reference this new Attorney Docket Number.

If any fees are required by this communication, please charge the same to our Deposit Account No. 02-2051.

Respectfully submitted,

BENESCH, FRIEDLANDER
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